

## Declaration and Power of Attorney for Patent Application

### 特許出願宣言書及び委任状 Japanese Language Declaration 日本語宣言書

COPY

私は、以下に記名された発明者として、ここに下記のとおり宣言する： As a below named inventor, I hereby declare that:

私の住所、郵便の宛先そして国籍は、私の氏名の後に記載された通りである。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明について、特許請求範囲に記載され、且つ特許が求められている発明主題に関して、私は、最初、最先且つ唯一の発明者である（唯一の氏名が記載されている場合）か、或いは最初、最先且つ共同発明者である（複数の氏名が記載されている場合）と信じている。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

### OPTICAL SYSTEM AND OPTICAL APPARATUS

### USING THE SAME

上記発明の明細書はここに添付されているが、下記の欄がチェックされている場合は、この限りでない：

the specification of which is attached thereto unless the following box is checked:

\_\_\_\_\_ の日に出願され  
この出願の米国出願番号または PCT 国際出願番号は、  
\_\_\_\_\_ であり、且つ  
\_\_\_\_\_ の日に補正された出願（該当する場合）

was filed on December 16, 2003  
as United States Application Number or  
PCT International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

私は、上記の補正書によって補正された、特許請求範囲を含む上記明細書を検討し、且つ内容を理解していることをここに表明する。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第 37 編 1. 56 に定義されている、特許性について重量な情報を開示する義務があることを認める。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, code of Federal Regulations, Section 1.56.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## Japanese Language Declaration

## (日本語宣言書)

私は、ここに、以下に記載した外国での特許出願または発明者証の出願、或いは米国以外の少なくとも一国を指定している米国法典第35編第365条(a)項によるPCT国際出願について、同119条(a)-(d)項又は第365条(b)項に基づいて優先権を主張するとともに、優先権を主張する本出願の出願日よりも前の出願日を有する外国での特許出願または発明者証の出願、或いはPCT国際出願については、いかなる出願も、下記の枠内をチェックすることにより示した。

## Prior Foreign Application(s)

外国での先行出願

Priority Not Claimed  
優先権主張なし

2002-365509

JAPAN

17/December/2002

(Number)  
(番号)(Country)  
(国名)(Day/Month/Year Filed)  
(出願日／月／年)(Number)  
(番号)(Country)  
(国名)(Day/Month/Year Filed)  
(出願日／月／年) Third and subsequent Prior Foreign Applications are shown in separate sheet(s).

私は、ここに、下記のいかなる米国仮特許出願についても、その米国法典第35編第119条(e)項の利益を主張する。

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)  
(出願番号)(Filing Date)  
(出願日)(Application No.)  
(出願番号)(Filing Date)  
(出願日)

私は、ここに、下記のいかなる米国出願についても、その米国法典第35編第120条に基づく利益を主張し、又米国を指定するいかなるPCT国際出願についても、その同第365条(c)に基づく利益を主張する。また、本出願の各特許請求の範囲の主題が、米国法典第35編第112条第1段に規定された様で、先行する米国出願又はPCT国際出願に開示されていない場合においては、その先行出願の出願日と本国内出願日またはPCT国際出願日との間の期間中に入手された情報で、連邦規則法典第37編規則1.56に定義された特許性に関する重要な情報について開示義務があることを承認する。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.)  
(出願番号)(Filing Date)  
(出願日)(Status: Patented, Pending, Abandoned)  
(現況:特許許可、係属中、放棄)(Application No.)  
(出願番号)(Filing Date)  
(出願日)(Status: Patented, Pending, Abandoned)  
(現況:特許許可、係属中、放棄)

私は、ここに表明された私自身の知識にかかる陳述が真実であり、且つ情報と信ずることに基づく陳述が、真実であると信じられることを宣言し、さらに、故意に虚偽の陳述などを行った場合は、米国法典第18編第1,001条に基づき、罰金または拘禁、若しくはその両方により処罰され、またそのような故意による虚偽の陳述は、本出願またはそれに対して発行されるいかなる特許も、その有効性に問題が生じることを理解した上で陳述が行われたことを、ここに宣言する。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by the fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**Japanese Language Declaration**  
**(日本語宣言書)**

委任状： 私は本出願を審査する手続きを行い、且つ米国特許商標庁との全ての業務を遂行するために、記名された発明者として、下記の弁護士及び／または弁理士を任命する。（氏名及び登録番号を記載すること）

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number).

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, telephone number (703) 905-2000 (to whom all communications are to be directed), and persons of that firm who are associated with USPTO Customer No. provided below individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm, to add new persons of their Firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above Firm and/or an attorney of that Firm in writing to the contrary.

00909

*COPY*

唯一または第一発明者氏名	Full name of sole or first inventor		
	Kentaro SEKIYAMA		
発明者の署名	日付	Inventor's signature	Date
		<i>Kentaro Sekiyama</i> Feb. 17, 2004	
住所	Residence		
	Hachioji-shi, Tokyo-to, Japan		
国籍	Citizenship		
	Japan		
郵便の宛先	Post Office Address c/o Intellectual Property Department, OLYMPUS CORPORATION		
	2-3, Kuboyama-cho, Hachioji-shi, Tokyo 192-8512, Japan		
第二共同発明者がいる場合、その氏名	Full name of second joint inventor, if any		
第二共同発明者の署名	日付	Second inventor's signature	Date
住所	Residence		
国籍	Citizenship		
郵便の宛先	Post Office Address		
(第三以下の共同発明者についても同様に記載し、署名をすること)		(Supply similar information and signature for third and subsequent joint inventors.)	

BOX ASSIGNMENTS

DO NOT USE FOR TRADEMARKS

RECORDATION FORM COVER SHEET  
PATENT APPLICATIONS & PATENTS ONLY

TO THE DIRECTOR OF THE US PATENT AND TRADEMARK OFFICE:

SIR: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

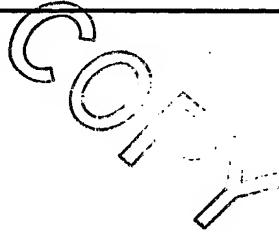
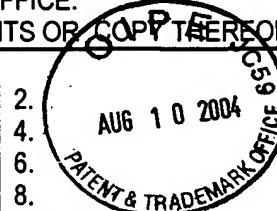
1. NAME OF CONVEYING PARTY(IES) (ASSIGNORS(S)):

1. Kentaro SEKIYAMA

3.

5.

7.

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED?  YES  NO

2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:

NAME: Olympus Corporation

ADDRESS: 43-2, Hatagaya 2-chome, Shibuya-ku, Tokyo, JAPAN

ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED?  YES  NO

3. NATURE OF CONVEYANCE (DOCUMENT):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)

<input checked="" type="checkbox"/> ASSIGNMENT OF	<input type="checkbox"/> WHOLE	<input type="checkbox"/> PART INTEREST
<input checked="" type="checkbox"/> ORIGINAL	<input type="checkbox"/> FACSIMILE/PHOTOCOPY	
<input type="checkbox"/> CHANGE OF NAME	<input type="checkbox"/> VERIFIED TRANSLATION	
<input type="checkbox"/> SECURITY	<input type="checkbox"/> MERGER	<input type="checkbox"/> OTHER:

EXEC. DATE: February 17, 2004

EXECUTION DATE(S) ON THE DECLARATION IF FILED HEREWITH: (NOTE: IF DATES ON DECLARATION AND ASSIGNMENT DIFFER SEE ATTY!)

4.5 APPL. NO.(S) OR PAT NO.(S). OTHERS ON ADDITIONAL SHEET(S) attached?  YES  NO

A/PAT. APP. NO.(S) Series code/serial no.	M#	B-INVENTOR if not in item 1	B/PATENT NO(S)	M#	C-INVENTOR if not in item 1
10/735,853	307278	SEKIYAMA			

5. Name &amp; Address of Party to Whom Correspondence Concerning Document Should be Mailed:

Pillsbury Winthrop LLP  
Intellectual Property Group  
1133 Connecticut Avenue, NW Washington, DC 20036

6. NUMBER INVOLVED:  
APPLNS 1 + PATS 0 = TOTAL = 17. AMOUNT OF FEE DUE: (Code 8021)  
ABOVE TOTAL x \$40 = \$40

5.5 ATTY DKT:

P 307278

SPO-2575

8. PLEASE CHARGE TO OUR DEPOSIT ACCOUNT  
NUMBER: 03-3975

UNDER ORDER NO 061069 0307278

MATTER NO.

CLIENT REF.

dup. sheet not required

CLIENT NO.

MATTER NO.

9. To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Henry J. Daley  
Signature

Attorney: Henry J. Daley

Reg. No. 42459

Atty/Sec: HJD/jrh

10. Total number of pages including this cover sheet, attachments and document (do not file dup. Cover sheet)

2

Date: June 15, 2004

FAX: (202) 833-8491

FILE WITH PTO RETURN RECEIPT (PAT-103A)

Please return signed/recorderd to:

Pillsbury Winthrop  
P.O. Box 10500  
McLean, VA 22102  
Customer No. 00909



For inventions made outside USA

executed with or after application

Atty. Dkt. PW

M#

Client Ref.

NONPROVISIONAL

**ASSIGNMENT  
OF NONPROVISIONAL APPLICATION**

COPY  
NONPROVISIONAL

In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid to each of the undersigned, to wit:

INSERT  
NAME(S) OF  
INVENTOR(S)

(1) Kentaro SEKIYAMA	(2)
(3)	(4)
(5)	<input type="checkbox"/> x box if continued on page 2

the receipt and sufficiency of which are hereby acknowledged by the undersigned who at the request of, hereby sell(s), assign(s) and transfer(s) unto:

INSERT  
NAME(S) OF  
ASSIGNEE(S)  
& ADDRESS(ES)

OLYMPUS CORPORATION  
43-2, Hatagaya 2-chome, Shibuya-ku,  
Tokyo 151-0072, Japan

(hereinafter designated "ASSIGNEE") the entire right, title and interest for the United States of America as defined in 35 U.S.C. 100, in the invention and all applications including any and all divisions, continuations, substitutes, and reissues thereof; and all resulting patents, known as

TITLE OF  
INVENTION

OPTICAL SYSTEM AND OPTICAL APPARATUS USING THE SAME

for which the undersigned executed an application for Letters Patents of the United States of America:

NOTE → → (A)  even date herewith  
(Complete  
line A, B and/or C) (B)  on \_\_\_\_\_  
(C)  in U.S. Appln. No. \_\_\_\_\_ / filed December 16, 2003

AND the undersigned hereby authorize(s) and request(s) the United States Commissioner of Patents and Trademarks to issue said Letters Patent to the said ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives; the undersigned agree(s) that the attorney of record in said application shall hereinafter act on behalf of said ASSIGNEE;

AND the undersigned hereby agree(s) to testify and execute any papers for ASSIGNEE, its successors, assigns and legal representatives, deemed essential by ASSIGNEE to ASSIGNEE'S full protection and title in and to the invention hereby transferred.

NOTE → → The undersigned hereby authorize(s) Pillsbury Winthrop LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

INVENTORS

1): Kentaro Sekiyama  
Name: Kentaro SEKIYAMA  
2)  
Name:  
3)  
Name:  
4) Name:  
Name:  
5) Name:  
Name:

DATE SIGNED

Feb. 17, 2004

WITNESSES